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CIVILIAN HUMAN RESOURCES AGENCY
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DAPE-CHP

13 APR 2011

**MEMORANDUM FOR ALL CIVILIAN HUMAN RESOURCE AGENCY (CHRA)
REGIONAL DIRECTORS (RD)**

**SUBJECT: Merit Promotion and Placement Plan, CHRA Internal Guidance
Memorandum (CIGM) 335-11-CIGM-01**

1. This memorandum formally transmits the enclosed CHRA Merit Promotion and Placement Plan for immediate implementation. This plan will provide equitable and consistent administration of merit promotion and placement procedures across the CHRA regions.
2. RDs are responsible for adherence to the plan and will ensure distribution to all appropriate personnel.
3. The CHRA HQ point of contact is Ms. Rose Medina, DSN 458-1758, commercial 410-306-1758, or email rose.medina@us.army.mil.

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BARBARA P. PANTHER
Director, Civilian Human Resources Agency

CIVILIAN HUMAN RESOURCES AGENCY (CHRA)

MERIT PROMOTION AND PLACEMENT PLAN

1. Purpose: To establish policy, assign responsibilities, and prescribe procedures for the Merit Promotion and In-service Placement Plan which are consistent with the Department of the Army (DA) and Office of Personnel Management (OPM) regulations governing the filling of positions by promotion or other internal placement action.

2. Policy: Positions covered by this plan will be filled solely on the basis of merit and fitness without regard to political, religious, or labor organization affiliation or non-affiliation, marital status, race, color, sex, national origin, non-disqualifying physical handicap or age, and shall be based solely on job related criteria.

3. Scope:

a. This plan is applicable to all competitive and excepted service positions at all CHRA activities.

b. Where provisions of this plan differ from negotiated labor agreements, the provisions of the negotiated agreements will apply. When provisions of this plan differ from changes in law or regulation, the changes in law or regulation will apply.

c. Where this plan is silent, the flexibilities provided by regulation or guidance from higher authority are preserved.

4. General Requirements:

a. Equal Employment Opportunity (EEO): Evaluation of qualifications, ranking of eligibles and selection for promotion will be made on a fair and equitable basis without discrimination for any non-merit reason such as race, color, religion, sex, national origin, politics, marital status, physical handicap, age, or membership or non-membership in an employee organization.

b. Nepotism and Personal Favoritism: No official may, in recommending or selecting candidates for promotion, show or give preference to any candidate based upon factors not pertinent to the candidate's qualifications for performing work of a higher level including personal friendship, kinship, or political connections. A management official may not appoint, employ, promote, or advance one of his/her relatives (by blood or marriage) to a position in his/her agency, nor may he/she advocate a relative for appointment, employment, promotion, or advancement in the agency. Likewise, an individual may not be appointed, employed, promoted, or advanced if the action was advocated by a management official who is serving in or exercising jurisdiction or control over the agency and who is a relative of the

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individual. These provisions apply to all individuals in the rating, ranking, evaluating, and/or selecting processes for actions under this regulation. Recusal from the recruitment process will be in accordance with CHRA Guidance Memo 06-10, 14 Sep 10, Impartiality of CHRA Employees While Performing Official Duties.

5. Competitive Actions: The following placement actions must be accomplished in accordance with the competitive procedures of this plan:

a. Permanent promotion to higher grade position or to a position with more promotion potential than any position previously held on a permanent basis in the competitive service.

b. Reassignment or demotion to a position with more promotion potential than any position previously held on a permanent basis in the competitive service except as permitted by reduction in force regulations.

c. Time-limited promotion for more than 120 days to a higher grade position. Prior service during the preceding 12 months under noncompetitive time-limited promotions and non-competitive details to higher grade positions count toward the 120 day total. A temporary promotion may be made permanent without further competition provided the temporary promotion was originally made under competitive procedures, and the fact that it may lead to a permanent promotion was made known to all potential candidates in the appropriate area of consideration.

d. Detail of more than 120 days to a higher graded position or to a position with greater promotion potential. Prior service during the preceding 12 months under noncompetitive detail to higher grade positions and noncompetitive time-limited promotion counts toward the 120 day total.

e. Selection for training, which is part of an authorized training agreement, part of a promotion program, or required by regulation before an employee may be considered for a promotion.

f. Transfer or reinstatement to a position at a higher grade or with more promotion potential than any position previously held on a permanent basis in the competitive service.

6. Exclusions: The following actions may be excluded from the competitive procedures of this plan:

a. Promotion resulting from the upgrading of a position without significant change in the duties and responsibilities due to issuance of a new classification standard or the correction of a classification error.

b. Placements made during or in lieu of reduction in force (RIF) as permitted by governing regulations.

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c. Action involving statutory, regulatory or administrative placement, to include actions directed by higher command levels, arbitration decisions, court decisions, Merit Systems Protection Board (MSPB), local settlements, and discrimination complaint decisions.

d. Career Ladder Promotion: A promotion without further competition of an employee who was appointed in the competitive service from a civil service register, by delegated examining authority, by direct hire, by noncompetitive appointment or noncompetitive conversion, or under the competitive promotion procedures of this plan for an assignment intended to prepare the employee for the position being filled (the intent must be made as a matter of record and career ladders must be documented).

e. Promotion to a grade previously held on a permanent basis in the competitive service (or in another merit system with which OPM has an interchange agreement) from which the employee was separated or demoted for other than performance or conduct reasons.

f. Promotion, reassignment, demotion, transfer, reinstatement, or detail to a position having no greater promotion potential than that of a position the employee currently holds or previously held on a permanent basis in the competitive service (or other merit system with which OPM has an interchange agreement) from which the employee was separated or demoted for other than performance or conduct reasons. This includes positions previously held that were encompassed within a National Security Personnel System (NSPS) pay band. For example, promotion of a current GS-12 employee who previously held a YA-02 position which encompassed the GS-13 grade level.

g. Promotion resulting from an employee's position being classified at a higher grade because of additional duties and responsibilities that meets the criteria to be done non-competitively.

h. Temporary promotions of 120 days or less: Prior service during the preceding 12 months under noncompetitive time-limited promotions and noncompetitive details to higher grade positions counts toward the 120 day total.

i. Detail to a higher grade position or a position with known promotion potential, of 120 days or less. Prior service during the preceding 12 months under noncompetitive details to higher grade positions and noncompetitive time-limited promotions count toward the 120 day total.

j. Promotion or placement of an employee entitled to noncompetitive priority consideration as corrective action for failure to be given proper consideration under the requirements of this plan.

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k. Placement of employees who have eligibility for special consideration for repromotion. These employees are those who are receiving grade or pay retention benefits due to involuntary placement in lower grade or declination of functional transfer.

l. Noncompetitive conversion of severely disabled individuals and promotion after conversion provided the position occupied has an established full performance level (career ladder).

m. Noncompetitive conversion of students under a student employment program and promotion after conversion provided the position has an established full performance level (career ladder).

n. Permanent noncompetitive appointment of eligible veterans with a 30% or more disability who are serving on temporary appointments and promotion after conversion provided the position occupied has an established full performance level (career ladder).

o. Noncompetitive appointment of veterans recruitment appointment (VRA) eligibles and promotion after conversion provided the position occupied has an established full performance level (career ladder).

p. Noncompetitive appointment of OPM interchange agreement eligibles, reinstatement eligibles, non appropriated fund (NAF) interchange agreement, and Executive Order 12721 eligibles to grades no higher than held on a permanent basis.

q. Other types of actions not specified above which are permitted by regulation and are consistent with the spirit and intent of the merit principles delineated in Title 5, United States Code.

7. Responsibilities and Procedures:

a. CHRA HQs is responsible for:

(1) Responding to inquiries regarding the content, procedures, and requirements of this plan.

(2) Periodically reviewing this plan for regulatory compliance.

(3) Soliciting opinions, comments, and suggestions from CHRA activities regarding the requirements of the plan.

b. The Regional Directors are responsible for publicizing information on merit promotion to the workforce.

c. The Civilian Personnel Advisory Centers (CPAC) are responsible for:

(1) Administering the merit promotion and placement program to ensure that the provisions of this plan and the spirit and intent of Title 5, United States Code are met.

(2) Advising, assisting, and disseminating information pertaining to recruitment strategies; appropriate areas of consideration; selection criteria; determining conditions of employment; and supervisory and employee responsibilities and regulatory requirements.

(3) Preparing merit promotion vacancy announcements/advertisements.

(4) Rating for basic qualifications and eligibility and applying content-valid assessment methodologies to identify highly qualified/best qualified candidates.

(5) Issuing referral lists to the supervisor/manager.

(6) Keeping automated staffing systems current so applicants are notified of eligibility/ineligibility, rating determinations, selection/non-selection, and applicants who are eligible but not referred for selection consideration.

(7) Validating selections in accordance with law, rule, and regulation.

(8) Providing information and data in response to inquiries.

(9) Maintaining records.

(10) Responding to inquiries from applicants, managers, EEO officials, and other appropriate parties that are not addressed in the automated staffing notification system.

(11) Making job offers and establishing proposed effective dates in coordination with selecting officials.

d. Managers and supervisors are responsible for:

(1) Communicating the provisions of this plan to employees.

(2) Anticipating personnel requirements and initiating appropriate action on a timely basis.

(3) Reviewing and monitoring selection procedures to ensure compliance with the spirit of the affirmative action program goals and objectives and the merit principle of Title 5, United States Code.

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(4) Assisting employees in applying for vacancies, and upon written request from employees, notifying employees of merit promotion announcements/advertisements during the employee's absence for legitimate reasons such as temporary duty (TDY) or deployment.

(5) Developing recruitment strategies and identifying appropriate areas of consideration, with the assistance of the servicing team.

(6) Approving and providing input to job-related assessment criteria, with the assistance of the servicing team as necessary.

(7) Obtaining any required organizational approvals for recruitment action to include providing complete information for all Requests for Personnel Action (RPA) where required.

(8) Arranging and conducting rating/ranking panels when necessary.

(9) Promptly making and documenting selections from referral lists.

(10) Obtaining necessary reviews of the selection by higher management officials.

(11) Providing assistance and counseling to employees on self development opportunities, application procedures, and reasons for non-selection upon request.

e. Employees are responsible for:

(1) Reviewing designated applicable web sites (e.g., armycivilianservice.com, USAJobs) for job advertisements/announcements.

(2) Carefully reviewing job advertisements/announcements prior to application to determine whether or not they meet the specific experience and training requirements for the position.

(3) Applying for jobs for which they are qualified and interested by providing information and forms requested on vacancy announcements/advertisements.

(4) Notifying their supervisors/managers in writing of job opportunities for which they are interested in applying during periods of legitimate absence and providing their contact information to which opportunities can be sent.

(5) Seeking advice and assistance from their supervisors on the provisions of this plan, preparation of application materials, and self development opportunities.

(6) Promptly notifying the designated office of acceptance or declination of a job offer after notification of selection.

(7) Keeping their resume updated with their current home address, telephone number, and job location/experience.

8. Locating Candidates:

- Area of Consideration:

(1) The area of consideration must be sufficiently broad to ensure the availability of a reasonable number of high quality candidates, taking into account the nature and level of the position to be filled, merit principles, EEO affirmative action goals and objectives, and applicable regulations and requirements of negotiated agreements.

(2) The area of consideration will be identified in the merit promotion vacancy announcement/job advertisement.

(3) As a minimum, the area of consideration will include all co-located CHRA activities where the vacancy under recruitment is located, plus applications received by the closing date of the vacancy announcement from all DA employees with competitive status who are outside the minimum area of consideration (DA voluntary applicants).

(4) To the maximum extent practical, immediately appointable family members who are relocating to accompany DA military and civilian sponsors and candidates eligible for special noncompetitive appointments (e.g., VRA, severely disabled, disabled veterans, etc.) should be considered for competitive service jobs within the constraints set by the special appointing authorities.

(5) The area of consideration may be expanded beyond the minimum area at any time during the recruitment process to meet the recruitment need with the issuance of an amended or new vacancy announcement.

9. Application procedures will be described in the instructions for the automated application system or merit promotion vacancy announcements and/or job advertisements.

a. Job Advertisements/Announcements: Job advertisements or announcements used to solicit candidates will be published on armycivilianservice.com and uploaded to USAJOBS as required by OPM when filling vacancies through the competitive procedures described in this plan.

b. Job advertisements/announcements will include:

(1) Job advertisement/announcement number, opening, and closing dates.

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(2) Position title/series/grade (to include full performance level, if appropriate) organization, and location.

(3) Sufficient information for the employee to understand the area of consideration.

(4) A summary of the job duties.

(5) A statement of the required qualification requirements or information on where the qualification requirements may be found.

(6) Designation of any special requirements.

(7) EEO statement.

(8) That the position being filled is one with known promotion potential, if applicable.

(9) Instructions on how to apply or information on where the instructions may be found.

(10) Job advertisements/announcements will normally be open for receipt of applications for a minimum period of 5 calendar days. Job announcements may be opened for less than 5 calendar days when justified by objective factors such as the number and types(s) of jobs being filled, local labor market conditions, previous experience in filling similar positions, and based on previous history of receiving a sufficient number of highly qualified candidates.

10. Competitive Procedures and Candidate Evaluation:

a. Applicants will be required to submit a resume for processing into an automated database. Incomplete resumes will be rejected. Incomplete resumes or resumes that do not include the required data will be rated based on the available information to the extent a determination can be made. If the necessary data is not present to make an accurate rating determination, an effort will be made to rate the resume on the available information. All resumes received, accepted, and verified will be stored in the database. Applicants will receive consideration for jobs by applying to open job advertisements/announcements. Applications must be received by the closing date of the job advertisement/announcement.

b. To be eligible for promotion or placement under this plan, applicants must meet all eligibility requirements and minimum qualification requirements prescribed by OPM within 30 days of the closing date of the announcement. Applicants for promotion or placement into a job having greater growth potential than their current job (or one previously held) must have a rating of fully successful or higher in their

most recent annual performance appraisal. In the absence of an appraisal, applicant will be presumed to be fully successful.

c. Referral lists will be valid for a period of 14 working days from the date issued. The CPAC director may grant reasonable extensions when requested by the selecting official. The authority to grant an extension may be delegated to a division or branch chief. Additional selections may be made from an issued list for a period of 120 days.

d. When there are ten or fewer candidates who meet minimum qualifications, simplified candidate evaluation procedures may be used.

e. Selection Procedures:

(1) A reasonable number of best qualified candidates will be referred to the selecting official, along with any candidates from non-competitive or other recruitment sources when an analysis of the candidate pool suggests the manager will be better served by separately providing the names of candidates eligible for non-competitive referral without subjecting them to assessment criteria used to distinguish highly qualified/best qualified candidates.

(2) Selecting officials have the right to consider and/or select candidates from any appropriate source in accordance with governing regulations and negotiated agreements.

(3) The selecting official may select or not select from among a group of qualified candidates referred for selection consideration.

(4) Selections will be based solely on job-related criteria, and the reasons for selection will be annotated on the referral list.

(5) As part of the selection process, selecting officials will consider the host installation's approved affirmative action plan (AAP) and review all applications referred.

(6) Selecting officials have the option to interview any, all, or none of the candidates on the referral list.

f. Selection Notifications: The CPAC will notify selected candidates and make job offers.

g. Effective/Release Dates: The CPAC will establish entrance on duty or proposed effective dates in coordination with the selecting official. Normally, promotions or position changes of employees selected under merit promotion and internal placement procedures for positions outside their current supervisory unit, will be effective the beginning of the second pay period following selection and/or

notification to the losing activity. By mutual agreement, the gaining and losing activities may negotiate a shorter or longer release date as local requirements dictate. Release dates for selectees from outside the installation will be negotiated between the gaining CPAC and the selectee's servicing personnel office/CPAC.

11. Records:

a. Placement records will be subject to review by internal evaluation methods and by higher authority. Records and other applicable regulations used to document placement actions will be maintained for a minimum of 3 years.

b. Sufficient documentation will be available within the placement records to provide a clear audit trail and permit a complete reconstruction of any action under this plan.

12. Corrective Actions:

a. Immediate action should be taken to correct a violation or program deficiency. Appropriate corrective action required as a result of a procedural, regulatory, or program violation of this plan or regulation will be accomplished in accordance with relevant sections of Title 5, United States Code, and the Code of Federal Regulations (CFR).

b. In order to ensure that actions are processed in accordance with regulatory and/or procedural requirements, corrections of errors or oversight will be made as soon as they are discovered to include correcting any outstanding referral lists. The promotion records will be so documented.

13. Grievances and Complaints:

a. An employee who believes that governing procedures were not properly followed in filling a position under this plan, or who believes that his or her qualifications were not properly evaluated may grieve or complain under applicable grievance procedures or in accordance with an appropriate negotiated agreement. Failure to be selected from a properly constituted list is not a grievable issue except where non-selection was due to discrimination and/or the conduct of a prohibited personnel practice.

b. Allegations of discrimination will be considered under relevant provisions of the EEO program.

c. Management and the CHRA staff will make every effort to informally resolve employee concerns regarding placement actions under this plan.

14. Order of Consideration:

- a. Statutory, reemployment, or restoration placements.
- b. Directed placements (courts, MSPB, Equal Employment Opportunity Commission (EEOC)), or other corrective actions.
- c. RIF actions, or placements in lieu of RIF.
- d. Local repromotion eligibles.
- e. Certain actions permitted under the DoD Program for Stability of Civilian Employment (job swaps, medical accommodations, etc.).
- f. Reemployment priority list (RPL) registrants for positions at or below grade last held by the registrant.
- g. DoD priority placement program registrants and the remainder of the RPL candidates.
- h. Special consideration after failure to receive consideration under the merit promotion plan.
- i. Interagency Career Transition Assistance Program eligibles.
- j. All other competitive/noncompetitive placement actions involving DoD candidates.
- k. Selection of candidates from non-DoD sources.